

The Pacific Hardware Co.,

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SOLE AGENTS FOR THE CELEBRATED

All
Sizes
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Every
Stove

Guaranteed

Best of material and workmanship. Made in every style and size known to modern stove construction. Repairs always on hand.

Sold On Easy Terms

PRICES RANGE FROM \$9.00 UPWARD.

COR. FORT AND MERCHANT STREETS.

DURING THE HOT WEATHER

One Should Have ... Awnings for the windows, and Curtains for the Lanais.

WE CAN SUPPLY THEM.

Some Fine Values in Belts for Gentlemen.

All the requisites for BASEBALL, and a small line of new GOLF GOODS. Drop in and take a look at them.

PEARSON & POTTER CO., LTD.

931 FORT STREET.



And Don't
You Forget

That the evening's meal
will not be satisfactory; will
not seem complete without a
supply of

RAINIER BEER

It puts health and happiness in every one of the
family

RAINIER BOTTLING WORKS, AGENTS.

Hustace Avenue (Kewalo). Phone White 1331.

LADIES' IMPERIAL

STREET DRESS SHOE.

This shoe is right up-to-now in
style. Perfect in fit, made of
patent colt skin with dull finish
top, welt sole, Cuban heel.

Will give more service for the
money than any other shoe made.

Price \$3.50.

MANUFACTURERS' SHOE CO., LTD.

1031 Fort Street.

FRED PHILP & BRO.

Harnessmakers and Saddlers.

Trunks and Valises neatly and promptly repaired.

Waverley Block, Bethel Street

Important Lesson About Good Butter

Keep your butter in the ice chest when not on the table. Don't let it get soft. The best butter made will not be so good if allowed to become soft. We deliver our butter frozen hard and in cardboard cartons which keep it from contact with other foods in the ice chest.

To have the best, use

Crystal Springs Butter

Metropolitan Meat Co., Ltd.

Telephone Main 45.

CUMMINS TRUST DEED

Constitutional Question Same as in Parker Case Raised.

To John A. Cummins's petition in equity against Joseph O. Carter, trustee, and many others for cancellation of a trust deed, Kamakaokane Wilker, Jane Merseberg, May C. Kibling and Thomas P. Cummins by their attorney, A. S. Humphreys, have entered a demurrer. The grounds condensed are as follows:

1. Facts are not set forth to constitute a cause of action.
2. There is nothing to show that the deed of trust was not the free and voluntary act of plaintiff with sufficient motives and consideration.
3. Plaintiff is now barred as being guilty of gross and inexcusable laches in presenting his bill.
4. The bill is addressed to Judge De Bolt, individually, in contravention of the rules of the First Circuit Court and its judges.

5. It does not appear that all necessary parties defendant have been joined as defendants in the bill, in that the Thomas B. Cummins, Matilda K. Walker, Jane B. Merseberg and May I. Creighton referred to in the trust deed, or any or all of them, have been joined as parties defendant, nor does it appear that their children have been so joined, and the bill shows no excuse for such omissions.
6. There is a misjoinder of parties defendant, in that Adolph Constable, Barney Joy and John Doe Blaisdel are joined as parties defendant by virtue of their being husbands of certain other parties defendant named in the bill.

7. The bill is uncertain, ambiguous and unintelligible in that it does not show what interest any of the defendants except the defendant J. O. Carter, trustee, has in the trust deed, and in that it does not appear in the bill that there is not an inexcusable misjoinder of parties defendant.
8. The Circuit Court of the First Circuit and each and every judge thereof are without jurisdiction to hear and determine the cause.
9. Under the laws of the Territory of Hawaii the cause can only be heard by a judge of the Circuit Court of the First Circuit sitting at chambers, and said laws are in contravention of Article 3, Section 1, of the Constitution of the United States and Section 81 of the Act to Provide a Government for the Territory of Hawaii.

"Wherefore and for want of a good and sufficient bill of complaint herein, these defendants pray that they may be hence dismissed with their costs on this behalf most wrongfully sustained."

The ninth ground of demurrer raises the same vital point as is now pending in the Parker case, which involves the legality of all probate and equity cases since the creation of the Territory of Hawaii, besides all divorce cases since the law amendments of 1903 took effect.

ESTATE OF SUSAN BRASH.

Albert F. Judd, guardian of Susan Brash, has filed an inventory of the property of his ward which has come into his charge from J. A. Magoon. It shows: Wilder's Steamship Co. stock, \$1500; notes, \$5100; fire claim judgment, \$800; cash, \$442.40; land on Maunakea street, in which the ward has only a life estate, \$3600; total, \$11,442.40.

COURT NOTES.

Plaintiff in the Hagey cure syndicate case, Thomas Milner Harrison vs. J. A. Magoon et al., by his attorneys, Robertson & Wilder, files a motion to advance the cause on the calendar of the Supreme Court.

Judge Robinson grants plaintiff in the suit of Middleditch vs. Kalaniana'ole ten days after the filing of the transcript of evidence in which to file his bill of exceptions.

Defendant in the suit of W. O. Smith et al., trustees of Gear, Lansing & Co., vs. Emmett May by his attorneys, Geo. A. Davis and Robertson & Wilder, enters a joinder in demurrer to his plea of set-off.

IN POLICE COURT.

E. Souza was fined \$2 and costs in police court yesterday for assault and battery on Lee Yuen. Mrs. Moore up for assault and battery on Hattie Keola got off with a severe reprimand. Kaleikumahoa, charged with using profane language, was reprimanded and discharged. Nomura, the youthful Japanese who raided several houses on School street, pleaded guilty to the charge of larceny in the second degree and was sent to the reef for one year. The rest of the cases were continued.

CHURCH SERVICES TODAY.

ST. ANDREW'S CATHEDRAL, morning and evening.
ST. CLEMENT'S EPISCOPAL CHURCH, Usborne, morning and evening.
CENTRAL UNION CHURCH, Kincaid, morning and evening.
METHODIST CHURCH, Wadman, morning and evening.
GERMAN LUTHERAN CHURCH, Felmy, morning.
KAWAIAHAO CHURCH, Parker, morning and evening.
CHRISTIAN CHURCH, Services 11 a. m.; preaching (Hopwood), 7:30 p. m.
REORGANIZED CHURCH OF LATTER DAY SAINTS, Waller, morning and evening.
ROMAN CATHOLIC CATHEDRAL, Services at 6, 7, 9, 10:30, 2 and 7.
ST. AUGUSTINE'S CHAPEL (R. C.), Waikiki, Valentin, services at 8:30 and 3.
ST. JOHN THE BAPTIST (R. C.), Kalihiwaena, Clement, 8:30 a. m., high mass, with sermon and collection.
SACRED HEART (R. C.), Marquesville, Clement, 11 a. m.
CHRISTIAN SCIENCE ASSOCIATION, Room 1, Elite Building, services at 11 a. m.

ROBERTSON AND POLITICAL FREEDOM.

Editor Advertiser: Mr. A. G. M. Robertson in this morning's Advertiser says, "a politician must be true to and honest with his party even if improper methods are used to secure certain ends." Most certainly, Mr. Editor, and how can any man, be he of whatever political party, better show his love of truth and honor and devotion to his party than by acting independently of any organized body of such party, whatever its warrant for action may be, when by such organized body "improper methods are used to secure certain ends." Loyalty and honesty to party can only be given on such occasions by independent action, and what is of vastly more importance to any community loyalty to honor, truth and country.

An illustrious man, recently dead, writing on Party Government says, "were every member true to his convictions, did every one resolve that he would not tell falsehoods by his votes, did each cease to regard 'party loyalty' as a virtue, and decide to give effect to his unit of opinion * * * these over-ridings of the national will by a few gentlemen * * * would be impossible. * * * Those who * * * surrender their freedom to make engagements on their own terms * * * have no adequate sense of that fundamental right which every man possesses to make the best of himself, and to dispose of his abilities in any way he pleases."

Muirhead, writing on Ethics and Politics, says, "Only after we have arrived at a clear conception of the inward nature of right conduct can we hope to settle the question as to its proper external conditions. The foundation of a true criticism of political institutions must be laid in a true criticism of human life as subject to a supreme law or purpose, i. e., in ethics." Independent action being denied, individualism crushed to subserve the supposed necessities of a party or some organized part of a party, personal procedure under the robust and healthful conditions set forth by Muirhead would be absolutely impossible. If freedom and right government are to obtain, independent political action should be recognized in any community as right, and hence desirable, and one pursuing it should not be branded "as a man who places his own interests ahead of those of his party and who is therefore unfit for further public service."

The emphasis of a permanent necessity demands political freedom. Political freedom demands the right of untrammelled independent action for the individual. CIVIS SECUNDUS.

Honolulu, Sept. 23, 1904.

"Reflections of a bachelor"—or married man.
"Levingston closing out at cost—time to stock up."

Women never enjoyed such bargains men are now getting in this closing out sale.

Prices don't matter here—the quicker the stock is sold the better. Anything in the store is yours for absolute cost.

If you wear collars, cuffs, neckwear, shirts, underclothing, hats, pajamas, or anything in my large stock remember that this is the first opportunity of the kind in this city and it won't come soon again.

I. LEVINGSTON, ALEXANDER YOUNG BUILDING.



The Egyptian Cigarette Of Quality

The choice of the clubman, professional man and business man.

Gunst-Eakin Cigar Co.

Distributors.



THE LATE CHIEF JOSEPH.